

REMARKS

Responsive to the requirement for restriction set out in the Official Action of November 15, 2005, applicant provisionally elects Group I, claims 1-24, drawn to a method and system of managing batches of immunocompetent cells collected from human or animal subjects for deferred use, with traverse.

As to the election of species, applicants elect the following species: I-A; II-i; III-A; and IV-C. Applicant believes that claims 1, 4, 5, 6, 9, 10, and 15-19, 23, and 24 are generic. Applicant believes that all of the claims are read on the elected species.

Applicant respectfully submits that the requirement is improper and should not be repeated. In this regard, it is important to consider the underlying consideration of restriction practice. As explicitly noted in MPEP §803:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In view of the present amendment, it seems clear that no serious burden would be incurred by examination of all of the claims pending in the present application. Elected Group I encompasses claims 1-24. As to the claims of Group II, claim 26 has been canceled and claim 25 has been amended so that it is now dependent on claim 1. As the recitations of claim 1 must also be searched and fully considered upon examining claim 25, applicant believes that a search and examination of all of the pending

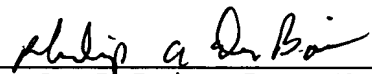
claims in their full scope can be made without a serious burden being imposed on the Patent Office.

Thus, withdrawal of the requirement for restriction and an action on the merits of all of the claims are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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